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Attorney for Defendant  
RODNEY ASUEGA

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

JAN 20 2006

at 1 o'clock and 0 min M  
SUE BEITIA, CLERK

UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
RODNEY ASUEGA,  
  
Defendant.

CR 02-00098 HG

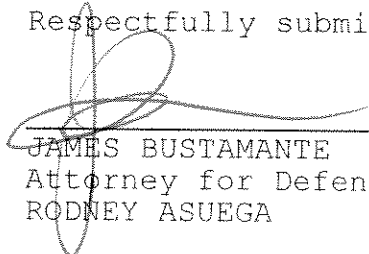
SUPPLEMENTAL EXHIBIT IN  
SUPPORT OF STIPULATION TO  
CONTINUE PRETRIAL CONFERENCE  
AND TRIAL DATES

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Defendant Rodney Asuega hereby submits this  
supplemental exhibit (attached Exhibit C), a letter from his  
Oncologist, Casey O'Connell, MD, in support of the parties'  
stipulation to continue pretrial conference and trial dates.

Dated: January 19, 2006

Respectfully submitted,

  
\_\_\_\_\_  
JAMES BUSTAMANTE  
Attorney for Defendant  
RODNEY ASUEGA

LAC/USC Medical Center  
Department of Oncology  
1200 N. State Street  
Los Angeles, CA 90033

January 18, 2006

Dear Ms. Rahn:

I am writing on behalf of Rodney Asuega, a 36 year-old gentleman who was diagnosed with Stage III rectal cancer in the setting of ulcerative colitis approximately one year ago in San Francisco, California. His course there was complicated by a deep venous thrombosis which was treated with an IVC (inferior vena cava) filter. He presented to our colorectal surgery team in June, 2005 and had complete resection of his tumor. He was subsequently given adjuvant chemotherapy with infusional 5-fluorouracil, leucovorin and oxaliplatin. His last treatment was 12/1/05. He was unable to tolerate further therapy with capecitabine, an oral form of 5-fluorouracil, due to side effects.

At this time, we are awaiting a restaging CT scan of the chest, abdomen and pelvis to determine if there is any evidence of recurrent disease. This is scheduled for mid-February. Should there be any evidence of tumor recurrence, we would offer Mr. Asuega further chemotherapeutic options. According to Dr. Ault, the colorectal surgeon, if the CT scan is negative for evidence of tumor, he will take down the ileostomy.

Per our records, Mr. Asuega is currently taking iron tablets for anemia, benadryl and triamcinolone cream as needed for rash, and vicodin as needed for pain.

Mr. Asuega has given written consent allowing me to share his personal health information with you, his lawyers.

Sincerely,

Casey O'Connell, MD  
Fellow, Department of Oncology

PROOF OF SERVICE

The undersigned declares:

I am a citizen of the United States. My business address is 809 Montgomery Street, 2nd Floor, San Francisco, California 94133. I am over the age of eighteen years and not a party to the within action.

On the date set forth below, I caused a true copy of the within

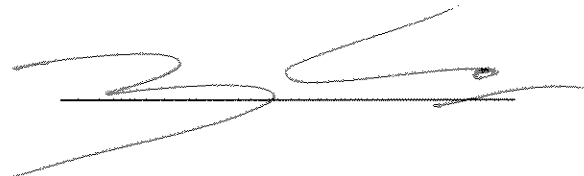
SUPPLEMENTAL EXHIBIT IN SUPPORT OF STIPULATION TO  
CONTINUE PRETRIAL CONFERENCE AND TRIAL DATES

to be served on the following parties in the following manner:

Mail \_\_\_\_\_ Overnight mail \_\_\_\_\_ Personal service \_\_\_\_\_ Fax  X

Tom Brady  
U.S. Attorney's Office  
300 Ala Moana Blvd, Room 6-100  
Honolulu HI 96850  
Tel 808/541-2850  
Fax 808/541-2958

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration is executed on January 19, 2006, at San Francisco, California.

A handwritten signature, likely of Tom Brady, written in dark ink. The signature is stylized, with a large, sweeping 'B' and a long horizontal line extending to the right.